

## **ADMINISTRATION AND MANAGEMENT**

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## Overview

### Definition of School Health Services

[KRS 156.502](#) (1) (a) defines school health services as “the provision of direct health care, including the administration of medication, the operation, maintenance, or health care through the use of medical equipment; or the administration of clinical procedures. “ Health services” as defined in Kentucky does not include First Aid or emergency procedures.

School health services are designed to ensure student access or referral to primary health care services, foster appropriate use of primary health care services, prevent and control communicable disease and other health problems, provide emergency care for illness or injury, promote and provide optimum sanitary conditions for a safe school facility and school environment, and provide educational and counseling opportunities for promoting and maintaining individual, family and community health. School qualified professionals such as physicians, nurses, dentists, health educators and other allied health personnel provide these services.”

School health services should:

- Contribute to the physical, mental, and social well-being of students
- Help students fully participate in school through prevention, health promotion, early identification and intervention
- Contribute to healthier students who are more likely to succeed in school; likewise, students who succeed in school are more likely to make healthy lifestyle decisions

Student health services are part of a well-coordinated school health program as defined by the Centers for Disease Control (CDC). Kentucky has a grant from the CDC to assist districts in creating and implementing coordinated school health programs.

[Kentucky Coordinated School Health Program](#)

[CDC School Health Resources](#)

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## Models of Delivery

School health services may be provided in a variety of ways as determined by the local school district. Below are examples of models for the delivery of school health services:

- Delivered by local school district employees (Registered Nurse and/or Advanced Practice Registered Nurse Practitioner and other school personnel, such as Licensed Practical Nurse or unlicensed school personnel who have been trained according to KRS 156.502)
- Local health department personnel contracted by the local school board of education to provide school health services (the contract should specify services to be provided)
- Local school district contracts with a hospital or a health care provider for a school based health center (SBHC), which may serve as a primary nursing, medical, dental, mental health provider and other services to those students enrolled in the SBHC program.

Each type of school health services program should have local school district policies and procedures describing how the health services will be provided and who is responsible for ensuring these services are administered.

The Kentucky Department of Education (KDE), in collaboration with the Kentucky Department for Public Health (KDPH), has developed a contract template school districts may use when contracting with outside sources for the delivery of school health services.

[Health Services Contract Template](#)

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## Key Personnel

Not only does KRS 156.502 define “health services”, but the statute also establishes provision for whom shall provide health services in schools. Personnel who may provide school health services include: physicians, advanced practice registered nurse (APRN), registered nurses, and licensed practical nurses. School employees who are delegated responsibility to perform health services by a physician, APRN, or registered nurse may perform only select services in specific situations, according to the licensed professional’s scope of practice. Key school health personnel include:

- Education School Nurse Consultant provides leadership, consultation and technical assistance to local school districts relating to student health Services. ([KRS 156:501](#))
- A KDPH School Health Nurse Consultant provides leadership, consultation and technical assistance to local health department school nursing programs relating to the delivery of school health services.
- A School District Health Coordinator works in cooperation with all school personnel, the local board of education, the school council, KDE, the local health department, Family Resource and Youth Services centers and parents in planning, promoting and implementing a school health

services program ([702 KAR 1:160](#), Section 5). KDE and DPH have written a template job description, however school districts may establish their own job description for this position.

- School nurses who have a current license from the Kentucky Board of Nursing, work with students, school personnel, other healthcare providers and parents to ensure that a student is healthy and ready for school. A school nurse employed or contracted by the school district provides leadership, consultation and technical assistance relating to student health services.
- Unlicensed school personnel may be delegated to perform some school health services when delegated and trained according to [KRS 156.502](#) and [702 KAR 1:160](#), Section 4 (g).

[KDE District Health Coordinator Job Description \(MUNIS\)](#)

[KDE/KDPH District Health Coordinator Job Description Template \(2010\)](#)

[KDE/KDPH Role of School Nurse Template](#)

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### **School District Policies and Procedures**

Each school district is responsible for developing written policies and procedures that identify and remove physical and mental barriers to learning. The HSRG includes information, guidelines and resources for school districts to use in the development of their local district-specific health services policies, procedures and forms. Many school districts also subscribe to the [Kentucky School Board Association](#) (KSBA) for school board policy and procedures.

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## School Nurse Services

In Kentucky, a school nurse may be either an Advanced Practice Registered Nurse (APRN), a Registered Nurse (RN), or Licensed Practical Nurse (LPN). Each must have a current Kentucky license from the Kentucky Board of Nursing (KBN). There is a difference in the educational preparation and scope of practice between the APRN, RN and LPN. The scope of practice for the APRN, RN and LPN are defined in [KRS 314.011](#). The scope of practice for the school nurse is described in [the KBN Advisory Opinion # 30: School Nursing Practice](#).

KBN is an agency of the Commonwealth of Kentucky, governed by the Nurse Practice Act. The primary mission and purpose of the Board is to develop and enforce state laws governing the safe practice of nursing to protect the health and welfare of the Kentucky citizens. [KRS 314.021](#) gives the KBN the statutory authority to regulate nursing in order to safeguard the health and safety of Kentucky citizens. As a regulatory agency of state government, the KBN interprets the statutes governing nursing practice and issues Advisory Opinions as state guidelines regarding what constitutes safe nursing practice.

Kentucky nurses are accountable for being educationally prepared and clinically competent and are legally required to complete continuing education requirements prior to license renewal. The annual KBN license renewal is required each year by October 31.

KBN Advisory Opinions related to school nursing and the delivery of school health services include:

- [# 30 School Nursing Practice](#)
- [# 15 Roles of Nurses of Nurses in the Supervision and Delegation of Nursing Acts to Unlicensed Personnel](#)
- [# 11 Roles of Nurses in the Insertion and Removal of a Nasogastric Tube and in the Reinsertion of a Gastrostomy Tube](#)

RNs may administer medications and treatments only as prescribed by physicians, physician assistants, dentists and advanced practice registered nurses (APRNs). Requests from parents to change a prescribed treatment or medication should not be accepted without the RN first contacting the prescribing health care provider.

[KRS 314.011](#) (10) defines how licensed practical nurses can practice. By definition, a licensed practical nurse (LPN) practices under the supervision of a registered nurse, physician, or dentist and is not licensed for independent nursing practice. [KRS 156.502](#) (2) does not allow the LPN to delegate the performance of health services to unlicensed school personnel. Supervision of the LPN does not require the supervisor to be physically present in the same building. However, the LPN may not practice without oversight of the nursing care provided to students.

Kentucky school nurses are accountable for the management and provision of nursing care for Kentucky public school students, including all delegation decisions. Delegation is defined by the American Nurses Association as *“the transfer of responsibility for the performance of an activity from one individual to another, while maintaining the accountability for the outcome.”* School health services may be delegated to unlicensed school personnel according to related sections of [KRS 156.502](#) that describes

who may delegate health services (e.g. physicians, APRNs or RNs), the training required and the documentation of the training. An individual's delegation and training is only valid for the current school year and must be renewed annually per [KRS 156.502](#) (2). (School year is from July 1 to June 30)

[201 KAR 20:400](#) provides direction to school nurses on how tasks may be delegated to a non-licensed individual by a licensed registered nurse (RN) or Advanced Practice Registered Nurse (APRN). The delegating school nurse will also be responsible for ongoing training and competency evaluations of the non-licensed personnel to safeguard the health and welfare of the students in their care.

The [KBN Decision Tree](#) for Delegation to Unlicensed Assistive Personnel (including unlicensed school personnel) should be used to determine whether a health service is appropriate to be delegated.

Supervision is defined in [201 KAR 20:400](#) as: *"the provision of guidance by a qualified nurse for the accomplishment of a nursing task with periodic observation and evaluation of the performance of the task."* The evaluation should include validation that the nursing task has been performed according to established standards of practice. Even when school personnel may perform the task, whoever delegates the task will retain the responsibility for the outcome. Supervision of unlicensed school personnel does not require the delegating nurse to be present in the same building. However, the delegating school nurse should be available by phone for consultation.

[NASN Position Statement on Delegation](#)

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**Unlicensed School Personnel**

[KRS 156.502](#) established the definition of “health services”, the provisions for whom may provide health services in schools, the training documentation required and the criteria for unlicensed school personnel may be exempt from liability. School administrators may recommend personnel to be trained but it is the function of the delegating health professional (physicians, advanced practice registered nurse or registered nurse) to determine whether the recommended school employee is appropriate to be trained and delegated to perform a specific school health service.

When accepting the delegation to perform a specific school health service, the unlicensed school employee performs this function under the supervision of the delegating licensed health professional. Unlicensed school personnel should only accept a delegation that is within their skill set or knowledge and should always contact the supervising school nurse if unclear about performing the delegated task. Unlicensed personnel have the responsibility to follow school district policies and procedures and report to the supervising school nurse immediately if they have any reason to believe they have made an error in the administration of the health service.

[KRS 156.502](#) requires written documentation of the school employee’s consent to the delegation of a specific school health service. The written documentation verifies that designated school employee has received training and demonstrated competency. The delegation, training and documentation are only valid during the current school year from July 1 to June 30.

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## Confidentiality and Privacy

Student record confidentiality is critical in the school setting. The Family Educational Rights and Privacy Act (FERPA) is the federal law that protects the privacy interests of students and their educational records. FERPA applies to any educational agency that receives funds from the United States Department of Education (USDOE). Health records of all students are protected by FERPA.

Student records, including health records, are confidential. Records or other information regarding student health should be shared or discussed with school personnel on a “need to know” basis. It may be necessary to share student health information with school personnel providing a necessary health service.

Generally, schools must have written permission from the parent or eligible student in order to release any information from a student's education record. However, FERPA allows schools to disclose those records, without consent, to the following parties or under the following conditions (34 CFR § 99.31):

- School officials with legitimate educational interest
- Other schools to which a student is transferring
- Specified officials for audit or evaluation purposes
- Appropriate parties in connection with financial aid to a student
- Organizations conducting certain studies for or on behalf of the school
- Accrediting organizations
- To comply with a judicial order or lawfully issued subpoena
- In cases of health and safety emergencies
- State and local authorities, within a juvenile justice system, pursuant to specific State law

([Forum Guide to the Privacy of Student Information: A Resource for Schools](#) (NFES 2006–805). U.S. Department of Education, Washington, DC: National Center for Education Statistics)

Additional guidance on information sharing of school health records may be found at:

[Health Insurance Portability and Accountability Act](#) (HIPAA)

[Family Policy Compliance Office](#)

[Family Educational Right and Privacy Act](#) (FERPA)

Privacy is also a legal requirement. If a student tells school personnel how they feel about having a chronic health condition, this information should be shared with the school nurse but not disclosed to any other school personnel unless they have a “need to know.” (For more information, see link below)

[NASN Privacy Standards for Student Health Records](#)



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